

**REMARKS**

Claims 17-32 are pending and under consideration. With this Amendment, Claims 17-19, 23-25, 29 and 31 are cancelled, without prejudice or disclaimer, solely to expedite prosecution of the application. Thus, after entry of this Amendment, Claims 20-22, 26-28, 30 and 32 are pending and under consideration.

The specification has been amended to correct an omission in the chemical structure. Support for the amendment can be found throughout the application where  $R_6$  and  $Q_1$  are appropriately defined.

No fees are considered due at this time, however, if a deficiency occurs, please charge our deposit account number 04-1420 to maintain pendency.

Rejection of Claims 17-19, 23-25, 29 and 31 under 35 U.S.C. § 112, First Paragraph

Claims 17-19, 23-25, 29 and 31 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor, at the time the application was filed, had possession of the claimed invention.

Claims 17-19, 23-25, 29 and 31 have been canceled, thereby obviating the basis for this rejection. Reconsideration and withdrawal of this rejection is respectfully requested.

Rejection of Claims 17-22, 26-30 and 32 under 35 U.S.C. § 112, Second Paragraph

Claims 17-22, 26-30 and 32 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Variables  $Q_3$  and  $Q_4$  were not defined in the structure.

Claims 17-19, 23-25, 29 and 31 have been canceled, thereby obviating the basis for this portion of the rejection.

Independent Claims 20, 26, 30 and 32 have been amended to remove the language in question. Claims 21 and 22 and 27 and 28 depend from independent claims 20 and 26, respectively, now amended, thereby obviating the basis for the rejection.

Reconsideration and withdrawal of the rejection is respectfully requested.

Obviousness-type Double Patenting

Claims 17-32 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent No. 6,353,026.

Clarification of the rejection is respectfully requested in view of the following: The rejection appears to be based on US Patent No. 6,353,026, however, US Patent No. **6,387,953** is referenced in the second sentence of the rejection, and not US Patent No. 6,353,026. Identification of the correct US Patent No. is requested.

Upon Notice of Allowance, Applicant is willing to provide a terminal disclaimer with regard to properly identified U.S. Patent, thereby obviating the basis for this rejection.

*Conclusion*

In view of the foregoing, Applicant submits that all pending claims distinguish over all references cited by the Examiner and respectfully requests that all rejections be withdrawn. The Examiner is invited to telephone the undersigned attorney for Applicant in the event that such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

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